

(8) Under Secretary

The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere.

(9) United States coastal waters

The term “United States coastal waters” includes the Great Lakes.

(Pub. L. 105-383, title VI, §608, as added Pub. L. 113-124, §10(a), June 30, 2014, 128 Stat. 1385.)

§ 4009. Authorization of appropriations

(a) In general

There is authorized to be appropriated to the Under Secretary to carry out sections 4002 and 4003 of this title \$20,500,000 for each of fiscal years 2014 through 2018, and \$20,500,000 for each of fiscal years 2019 through 2023.

(b) Extramural research activities

The Under Secretary shall ensure that a substantial portion of funds appropriated pursuant to subsection (a) that are used for research purposes are allocated to extramural research activities. For each fiscal year, the Under Secretary shall publish a list of all grant recipients and the amounts for all of the funds allocated for research purposes, specifying those allocated for extramural research activities.

(Pub. L. 105-383, title VI, §609, as added Pub. L. 113-124, §11, June 30, 2014, 128 Stat. 1386; amended Pub. L. 115-423, §9(h), Jan. 7, 2019, 132 Stat. 5464.)

AMENDMENTS

2019—Subsec. (a). Pub. L. 115-423 inserted “, and \$20,500,000 for each of fiscal years 2019 through 2023” before period at end.

§ 4010. Hypoxia or harmful algal bloom of national significance

(1) Relief

(A) In general

Upon a determination under paragraph (2) that there is an event of national significance, the appropriate Federal official is authorized to make sums available to the affected State or local government for the purposes of assessing and mitigating the detrimental environmental, economic, subsistence use, and public health effects of the event of national significance.

(B) Federal share

The Federal share of the cost of any activity carried out under this paragraph for the purposes described in subparagraph (A) may not exceed 50 percent of the cost of that activity.

(C) Donations

Notwithstanding any other provision of law, an appropriate Federal official may accept donations of funds, services, facilities, materials, or equipment that the appropriate Federal official considers necessary for the purposes described in subparagraph (A). Any funds donated to an appropriate Federal official under this paragraph may be expended without further appropriation and without fiscal year limitation.

(2) Determinations

(A) In general

At the discretion of an appropriate Federal official, or at the request of the Governor of an affected State, an appropriate Federal official shall determine whether a hypoxia or harmful algal bloom event is an event of national significance.

(B) Considerations

In making a determination under subparagraph (A), the appropriate Federal official shall consider the toxicity of the harmful algal bloom, the severity of the hypoxia, its potential to spread, the economic impact, the relative size in relation to the past 5 occurrences of harmful algal blooms or hypoxia events that occur on a recurrent or annual basis, and the geographic scope, including the potential to affect several municipalities, to affect more than 1 State, or to cross an international boundary.

(3) Definitions

In this subsection:

(A) Appropriate federal official

The term “appropriate Federal official” means—

(i) in the case of a marine or coastal hypoxia or harmful algal bloom event, the Under Secretary of Commerce for Oceans and Atmosphere; and

(ii) in the case of a freshwater hypoxia or harmful algal bloom event, the Administrator of the Environmental Protection Agency.

(B) Event of national significance

The term “event of national significance” means a hypoxia or harmful algal bloom event that has had or will likely have a significant detrimental environmental, economic, subsistence use, or public health impact on an affected State.

(C) Hypoxia or harmful algal bloom event

The term “hypoxia or harmful algal bloom event” means the occurrence of hypoxia or a harmful algal bloom as a result of a natural, anthropogenic, or undetermined cause.

(Pub. L. 115-423, §9(g), Jan. 7, 2019, 132 Stat. 5463.)

CODIFICATION

This section was enacted as part of the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2017 and also as part of the National Integrated Drought Information System Reauthorization Act of 2018, and not as part of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 which comprises this chapter.

CHAPTER 54—COMMERCIAL ENGAGEMENT THROUGH OCEAN TECHNOLOGY

Sec. 4101.	Definitions.
4102.	Coordination regarding assessment and acquisition by National Oceanic and Atmospheric Administration of unmanned maritime systems.
4103.	Regular assessment of unmanned maritime systems to support National Oceanic and Atmospheric Administration missions.